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## PATENT APPLICATION

UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78103

Toshiyuki KITAHARA

Appln. No.: 10/688,931

Group Art Unit: 2627

Confirmation No.: 3183

Examiner: Kin C. WONG

Filed: October 21, 2003

For: MAGNETIC TAPE DRIVE

### COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

#### ATTN: MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

### REMARKS

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on page 2 of the Notice of Allowability dated April 6, 2006.

In the Reasons for Allowance, the Examiner inaccurately paraphrases the language in independent claims 1 and 21. For example, "a head unit in a tape that based on a plurality of azimuth reproducing head" is not recited in the claims.

Accordingly, Applicant respectfully submits that each claim is patentable based on its own language and not based on any paraphrasing or addition of language that may have been made by the Examiner.

In addition, the Examiner cites Figure 5 in the reasons for allowance. Applicant submits that Figure 5 is an illustrative, non-limiting embodiment of the present invention, and the scope of the claims is not limited to just this embodiment.

Comments on Statement of Reasons for Allowance  
U.S. Serial No. 10/688,931

Attorney Docket No.: Q78103

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application." Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated April 6, 2006.

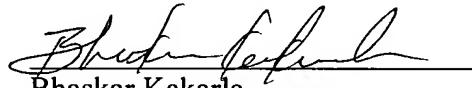
Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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Date: July 3, 2006